



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Thursday, 17th September, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 17th September, 2026

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

[The Speaker (Hon. Kingi) in the Chair]

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Speaker (Hon. Kingi): Serjeant-at-Arms, kindly ring the quorum bell for 10 minutes.

(The Quorum bell was rung)

Hon. Senators, we have quorum now that the Majority Leader has just walked in. Kindly take your seats.

Clerk, you may proceed to call the first Order.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM PINE LAKE ACADEMY, HOMA BAY COUNTY

Hon. Senators, I would like to acknowledge the presence of a visiting delegation of five teachers and 45 students from Pine Lake Academy in Homa Bay County, who are seated in the public gallery this afternoon. The delegation is visiting the Senate for an academic exposition.

On behalf of the Senate, and my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit. I call upon the Majority Leader to extend a warm welcome, in under one minute.

Kindly proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, you know that Homa Bay is a special county. It is one of my favourite destinations these days because of good things that are happening there including something called Mbita Sindo. Forget

about the things Sen. Sifuna and Sen. Osotsi are talking about. That is not what is important about Homa Bay. I recently discovered that they can compete with any other part of this country in terms of natural beauty. They have very beautiful beaches.

Sen. Sifuna: On a point of order, Mr. Speaker, Sir.

The Senate Majority Leader (Sen. Cheruiyot): No, Mr. Speaker, Sir. I will be misinformed by Sifuna on this matter. On other things, he may inform me but on this one, he will mislead me.

I welcome these students and I hope that they enjoy their visit this afternoon. I hope they will get to interact with the membership and learn one or two things about how business is transacted in this House.

I thank you, Mr. Speaker. Sir.

The Speaker (Hon. Kingi): Next Order.

MESSAGES FROM THE NATIONAL ASSEMBLY

PASSAGE OF THE COUNTY LIBRARY SERVICES BILL (SENATE BILL NO.40 OF 2024)

Hon. Senators, I have a couple of Messages to pass to you.

First, I wish to report to the Senate that pursuant to Standing Orders No.46(3) and (4), I have received the following Message from the Speaker of the National Assembly regarding the approval, by the National Assembly, of the County Library Services Bill (Senate Bill No.40 of 2024). The Message, dated Thursday, 10th September, 2026, was received in the office of the Clerk of the Senate on Monday, 14th September, 2026. Pursuant to Standing Orders No.46(4), I now report the Message.

Pursuant to the provisions of Standing Orders No.41(1) and 144 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly.

WHEREAS the County Library Services Bill (Senate Bill No.40 of 2024) was passed by the Senate on Wednesday, 27th February, 2026 and thereafter referred to the National Assembly for consideration pursuant to the provisions of Article 110(4) of the Constitution;

AND WHEREAS on Wednesday, 26th August, 2026 the National Assembly conceded and passed the same Bill with amendments as contained in the schedule of amendments attached hereto;

NOW, THEREFORE, in accordance with the provisions of Article 112 of the Constitution and pursuant to Standing Orders No.41(1) and 144 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate.

Hon. Senators, Article 112(1)(b) of the Constitution provides that if one House passes an ordinary Bill concerning counties and the second House passes the Bill in an amended form, it shall be referred back to the originating House for reconsideration.

In this regard, therefore, I direct the Standing Committee on Labour and Social Welfare to consider the amendments and table its report on or before Thursday, 8th

October, 2026, with recommendations on whether the Senate should approve the said amendments.

Hon. Senators, upon the tabling of the report by the Committee, the Senate Business Committee (SBC) will appoint a time for the Motion for consideration of the National Assembly's amendments by the Senate. The House is accordingly guided.

APPROVAL OF SENATE AMENDMENTS TO THE KENYA NATIONAL
COUNCIL FOR POPULATION AND DEVELOPMENT BILL
(NATIONAL ASSEMBLY BILL NO.72 OF 2023)

Again, I wish to report to the Senate that pursuant to Standing Orders No.46(3) and (4), I have received the following Message from the Speaker of the National Assembly regarding the passage of the Senate amendments to the Kenya National Council for Population and Development Bill (National Assembly Bill No.72 of 2023). The Message dated Thursday, 10th September, 2026, was received in the office of the Clerk of the Senate on Monday, 14th September, 2026. Pursuant to Standing Orders No.46(4), I now report the Message.

Pursuant to the provisions of Standing Orders No.41(1) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly.

WHEREAS, on Thursday, 19th June, 2025 the National Assembly passed the Kenya National Council for Population and Development Bill (National Assembly Bill No.72 of 2023) with amendments and thereafter referred it to the Senate for consideration in accordance with the provisions of Article 110(4) of the Constitution;

AND WHEREAS, on Tuesday, 12th May, 2026, the Senate considered and passed the same Bill with amendments and referred it back to the National Assembly for reconsideration in accordance with the provisions of Article 112(1)(b) of the Constitution;

FURTHER, WHEREAS, on Thursday, 27th August, 2026, the National Assembly considered and passed the same Bill in the form passed by the Senate;

NOW, THEREFORE, pursuant to the provisions of Standing Orders No.41(1) and 148 of the National Assembly Standing Orders, I hereby convey the decision of the National Assembly on the Bill and notify that I have since presented the same Bill to His Excellency the President for assent in accordance with the provisions of Article 112(2)(b) of the Constitution.

PASSAGE OF THE PUBLIC FINANCE MANAGEMENT (AMENDMENT)
BILL (NATIONAL ASSEMBLY BILL NO.17 OF 2025)

Further, I wish to report to the Senate that pursuant to Standing Orders No.46(3) and (4), I have received the following Message from the Speaker of the National Assembly regarding the passage of the Public Finance Management (Amendment) Bill (National Assembly Bill No.17 of 2025). The Message dated Thursday, 10th September, 2026, was received in the office of the Clerk of the Senate on Monday, 14th September, 2026. Pursuant to Standing Order 46(4), I now report the Message.

Pursuant to the provisions of Standing Orders No.41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly.

WHEREAS the Public Finance Management (Amendment) Bill (National Assembly Bill No.17 of 2025) was published in the Kenya Gazette Supplement No.59 of 24th April, 2025 as a Bill seeking to amend the Public Finance Management Act Cap.412(A) to ensure there shall not be duplication in the management of additional allocations through intergovernmental agreements;

AND WHEREAS the National Assembly considered and passed the said Bill with amendments on Wednesday, 26th August, 2026, in the form attached hereto;

NOW THEREFORE, in accordance with the provisions of Article 110(4) of the Constitution and pursuant to Standing Orders No.41 and 142 of the National Assembly Standing Orders, I hereby refer the said Bill to the Senate for consideration.

Now, Hon. Senators, pursuant to Standing Order No.163, which requires that a Bill which originates in the National Assembly be proceeded with by the Senate in the same manner as a Bill introduced in the Senate by way of first reading in accordance with Standing Order No.144, I direct that the Public Finance Management (Amendment) Bill (National Assembly Bill No.17 of 2025) be listed in the Order Paper to be read a first time.

PASSAGE OF THE BASIC EDUCATION (AMENDMENT)
BILL (NATIONAL ASSEMBLY BILL NO.3 OF 2025)

Further, I wish to report to the Senate that pursuant to Standing Orders 46(3) and (4), I have received the following Message from the Speaker of the National Assembly regarding the passage of the Basic Education (Amendment) Bill (National Assembly Bill No.3 of 2025). The Message, dated Thursday, 10th September, 2026 was received in the office of the Clerk of the Senate on Monday, 14th September, 2026. Pursuant to Standing Order 46(4), I now report the Message.

Pursuant to the provisions of Standing Orders 41(1) and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly.

WHEREAS the Basic Education (Amendment) Bill (National Assembly Bill No.3 of 2025) was published vide Kenya Gazette No.20 of 18th February, 2025 to amend the the Basic Education Act Cap.211 to mainstream the alternative provisions for basic education and training for schools within the formal basic education structures by providing for *inter alia* the recognition, registration and provision of equivalent benefits to the Alternative Provision of Basic Education (APBET) schools and to anchor the APBET Policy, 2009 in law;

AND WHEREAS the National Assembly considered and passed the said Bill with amendments on Wednesday, 26th August, 2026 in the form attached hereto;

NOW THEREFORE, in accordance with the provisions of Article 110(4) of the Constitution and pursuant to Standing Orders 41 and 142 of the National Assembly Standing Orders, I hereby refer the said Bill to the Senate for consideration.

Now honourable Members, pursuant to Standing Order No.163, which requires that a Bill which originates in the National Assembly be proceeded with in the Senate in the same manner introduced in the Senate by way of first reading in accordance with Standing Order No.144, I now direct that the Basic Education (Amendment) Bill (National Assembly Bill No.3 of 2025) be listed on the Order Paper to be read a first time.

PASSAGE OF SENATE AMENDMENTS TO THE PUBLIC FINANCE
MANAGEMENT (AMENDMENT) (NO.4) BILL (NATIONAL
ASSEMBLY BILL NO.45 OF 2024)

Lastly, I wish to report to the Senate that pursuant to Standing Order No.46 (3) and (4), I have received the following Message from the Speaker of the National Assembly regarding the passage of Senate amendments to the Public Finance Management (Amendment) (No.4) Bill (National Assembly Bill No.45 of 2024). The Message dated Thursday, 10th September, 2026, was received in the office of the Clerk of the Senate on Monday, 14th September, 2026. Now, Pursuant to Standing Order 46(4), I report the Message.

PURSUANT to the provisions of Standing Order No.41(1) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly.

WHEREAS on Thursday, 28th November, 2024, the National Assembly passed the Public Finance Management Amendment (No.4) Bill (National Assembly Bill No.45 of 2024) with amendments and thereafter referred it to the Senate for consideration in accordance with the provisions of Article 110 (4) of the Constitution;

AND WHEREAS on Tuesday, 3rd March, 2026, the Senate considered and passed the said Bill with amendments and referred it back to the National Assembly for reconsideration in accordance with provisions of Article 112(1)(b) of the Constitution;

FURTHER, WHEREAS on Thursday 27th August, 2026, the National Assembly considered and passed the said Bill in the form passed by the Senate;

NOW THEREFORE, pursuant to the provisions of Standing Order No.41(1) and 148 of the National Assembly Standing Orders, I hereby convey the decision of the National Assembly on the Bill and notify that I have since presented the Bill to His Excellency the President for assent in accordance with the provisions of Article 112(2)(a) of the Constitution.

Next Order.

The Senate Majority Leader (Sen. Cheruiyot): On a point of information, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Yes, Senate Majority Leader.

POINT OF ORDER

PROCESSING OF BILLS BY MEDIATION COMMITTEES

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I thank you for your Message. However, I wish to draw your attention to something. First, I would like to thank you for that Message because it brings to a close the legislative business in relation to the three Bills you have mentioned. It is good progress each time this House considers a Bill and brings it to a conclusion.

Mr. Speaker, Sir, I wish to bring to your attention the fact that there are latent powers you have, as a Speaker, which though you use them very rarely, I have seen invoked and used in this House previously. This is particularly when committees, not necessarily Standing Committees, but Mediation Committees, appear unable to make progress on certain matters of great public interest.

There is the SACCO Societies (Amendment) Bill, 2025. You understand what cooperative societies mean, particularly to those of us who represent counties that have farmers and to the rest of the country as well. This Bill has been with the Mediation Committee for close to six months now. I have tried all that is possible within my powers, as the Senate Majority Leader, but we cannot get this committee to meet.

When there is such truancy from committee membership, I have seen previous occupants of your high office direct and give an ultimatum that the committee concludes that work within seven to 14 days. Failure to do so, we reconstitute and give that work to a team that is able to make progress.

I do not know how Members of this House will face the electorate and tell them that they were unable to reform the cooperative movement in our entire five-year period simply because nine Members of the Senate Mediation Committee could not find time to attend to that matter. I find it terribly wrong.

I wish that we conclude this business as we give our report back to our employers. These are difficult times for Members of this House because you are about to go back to the owners of the real power. You may be here saying, "on a point of order", then wanannchi tell you, "point of order, Mr. Senator."

Mr. Speaker, Sir, please, save the face of this House. That is a grave and important matter which has reached a point where only your direction can save the country.

I thank you.

The Speaker (Hon. Kingi): Yes, Sen. Omogeni.

Sen. Omogeni: Mr. Speaker, Sir, I also rise to seek the intervention of your office. After the Generation Z uprising of 2024, this House considered a number of Bills. One of them was the Elections (Amendment) Bill, 2024. If I recollect correctly, we passed that Bill on 5th December, 2024 and it was transmitted to the other House for consideration. The rationale was to create confidence among Kenyans that the forthcoming elections would be fair, free and credible. It is now almost one year and six months down the line and I have not heard what became of that Bill. It was a crucial Bill in trying to build confidence in our elections.

Mr. Speaker, Sir, is there a way that you can make a call to your colleague in the other House, to ensure that they fast-track that Bill so that we deal with it, at least six months, before we go into the next elections?

The Speaker (Hon. Kingi): Yes, Senator for Nandi County.

Sen. Cherarkey: Mr. Speaker, Sir, I also want to thank you for that Message. We are coming to the tail end of this session. It is always hard to defend why we need to be elected as Senators because most of our work is based on legislative processes and business.

I have read Article 113 of the Constitution on mediation. There is no timeline on how matters can be handled when the National Assembly or the the Senate have a different view. The only timeline is when the mediated version has been approved and that should be transmitted to the President within seven days. If the President does not assent the Bill within 30 days, it is presumptive to be the law.

Would I be in order, looking at Articles 123 and 124, to request a ruling on this matter? I also have the Livestock Produce and Products Bill which we passed as a House in 2023 and would have assisted in addressing the issue of cattle rustling and banditry. However, up to now, the National Assembly is yet to give us a way forward on most of the Bills. That is why some of us are doubting--- With all due respect, the National Assembly is becoming a graveyard of the Bills that come from the Senate. So, would I be in order to request your ruling based on Article 113 and give us a timeline?

Mr. Speaker, Sir, you are lucky you have been around for some time. During the time of former Speaker of the National Assembly Hon. Kenneth Marende, there was a Solomonic ruling. We are looking upon you to give us the Solomonic ruling. This is because if that Bill passes, I will go back to the people and tell them I have ensured that the Bill was passed. That will be our scorecard. Could you rescue us?

I know there are Members of this House who might have nothing to tell the electorate, except by saying that we passed this or that legislative business. Kindly give a ruling on this matter once and for all. If it is in order, get the concurrence of your colleague in the National Assembly.

I yield back the mic.

The Speaker (Hon. Kingi): Thank you. The issues raised by the Majority Leader, Sen. Omogeni and echoed by the Senator for Nandi are valid concerns. It is not just the SACCO Societies (Amendment) Bill, 2025 that is stuck at mediation. There are a couple of Bills stuck at mediation for quite some time now. So, Secretariat, kindly cause a report to be done on the Bills that are pending mediation, the period they have been stuck at the mediation level and the Bills that have been processed by the Senate, conveyed to the National Assembly and yet nothing seems to be happening in terms of them continuing with the legislative journey. Once I have that report, then I will be able to give direction on how we can handle this. The earlier, the better. If that report can be made available to me on Tuesday in Kilifi, then I will offer the appropriate direction on this matter.

Before the Clerk calls the next Order, I have this Communication to make.

COMMUNICATIONS FROM THE CHAIR**ELECTION OF SEN. HAMIDA KIBWANA, MP, AS CHAIRPERSON
OF THE STANDING COMMITTEE ON ROADS,
TRANSPORTATION AND HOUSING**

Hon. Senators, this is to inform you that on Tuesday, 8th September, 2026, Sen. Eddy Oketch, MP, resigned as the Chairperson of the Standing Committee on Roads, Transportation and Housing.

Standing Order No.203(2) states-

“Whenever a vacancy occurs in the office of the Chairperson or Vice-Chairperson of a Select Committee, the Clerk shall, within seven days of the vacancy arising, appoint a place, date and time for the meeting of the Committee to elect the Chairperson or Vice-Chairperson”.

Pursuant to the above provision, the Clerk of the Senate gave notice on Wednesday, 9th September, 2026, appointing Tuesday, 15th September, 2026 as the date for the election.

At the said meeting, Sen. Hamida Kibwana, MP, was elected unopposed as the Chairperson of the said committee.

Hon. Senators, I wish to extend my congratulations to Sen. Hamida Kibwana, MP, upon her election and to convey my very best wishes to her in the discharge of her responsibilities as the Chairperson of the Committee.

**VISITING DELEGATION FROM THE
PARLIAMENT OF UGANDA**

Again, hon. Senators, I would like to acknowledge the presence in the Speaker's gallery this afternoon, of a visiting delegation from the Parliament of Uganda.

The delegation comprises four Members and one staff who are in the Senate to undertake a training on parliamentary whipping in legislative practise with the Centre for Parliamentary Studies and Training (CPST).

Hon. Senators, I request that each member of the delegation be upstanding when called out, so that they may be acknowledged in the Senate tradition.

1. Hon. Isaac Ismail Otemgiw, MP;
2. Hon. Namukuta Brenda, MP;
3. Hon. Nakazibwe Hope Grania, MP;
4. Hon. Derek Orone, MP; and,
5. Mr. Kavuma Samuel, member of staff.

(Applause)

On behalf of the Senate and my own behalf, I extend a warm welcome to the delegation and wish them a fruitful and enriching visit.

I request the Senator for Kilifi, who is also the Minority Leader, to extend a warm welcome, in under one minute.

Hon. Senator, you may proceed.

The Senate Minority Leader (Sen. Madzayo): Mr. Speaker, Sir, I would like to join you in welcoming the guests who are here on a visit to the Senate. I believe they have had a nice day and will go back home to Uganda having learnt a lot on how the Senate of Kenya operates.

Thank you, Mr. Speaker, Sir.

(Several hon. Senators stood in their places)

The Speaker (Hon. Kingi): Majority Leader, Sen. Mumma and Sen. (Prof.) Kamar, kindly take your seat.

VISITING DELEGATION FROM ST. PAUL'S,
KEVOTE, EMBU COUNTY

Hon. Senators, I would like to acknowledge the presence of a visiting delegation of two teachers and 65 students from St. Paul's, Kevote in Embu County, who are seated in the public gallery.

The delegation is visiting the Senate for an academic exposition. On behalf of the Senate and my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit.

(Applause)

I request the Senator for Embu County, Sen. Mundigi, to extend a word of welcome, in not more than one minute. No speeches.

Sen. Munyi Mundigi: Asante Bw. Spika kwa kunipa nafasi niweze kuwakaribisha wanafunzi kutoka St. Paul's Kevote kutoka Kaunti ya Embu, ambayo ni *famous out of the 47 counties*. Ninawashukuru kwa kuja kujifunza kuhusu Seneti. Ninawakaribisha sana. Mkirudi, msome kwa bidii kwa sababu miaka ijayo, mtakuwa Maseneta na viongozi wengine.

Pia, mtakuwa na mitihani mwezi wa Oktoba. Kwa hivyo, msome kwa bidii ili msubiri matokeo mazuri mwezi wa Disemba. Pia, mjiepushe na mambo ya migomo na madawa ya kulevya kama vile bangi na zinginezo, ili muwe viongozi wa kesho.

The Speaker (Hon. Kingi): Next Order.

PAPERS LAID**REPORT ON TETU WATER AND SANITATION PLC
FOR THE YEAR ENDED 30TH JUNE, 2026**

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate, today, Thursday, 17th September, 2026.

Report of the Auditor-General on Tetu Water and Sanitation PLC for the year ended 30th June, 2026.

(Sen. Cheruiyot laid the document on the Table)

The Speaker (Hon. Kingi): The Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries, you have the Floor.

**REPORT ON CONSIDERATION OF THE CROPS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.8 OF 2023)**

Sen. Munyi Mundigi: Mr. Speaker, Sir, I beg to lay the following Paper on the Table of the Senate, today, Thursday, 17th September, 2026.

Report of the Standing Committee on Agriculture, Livestock and Fisheries on its consideration of the Crops (Amendment) Bill (National Assembly Bills No.8 of 2023).

(Sen. Munyi Mundigi laid the document on the Table)

The Speaker (Hon. Kingi): Let us go to the next Order.

QUESTIONS AND STATEMENTS**STATEMENTS**

The Speaker (Hon. Kingi): We will start with Statements pursuant to Standing Order No.52(1). Sen. Cherarkey, you have the Floor.

**SELECTION OF KENYA TO HOST 2029
WORLD ATHLETICS CHAMPIONSHIPS**

Sen. Cherarkey: Mr. Speaker, Sir, I rise pursuant to Standing Order No.52(1) to make a Statement on a matter of national concern, namely, the selection of Kenya to host 2029 World Athletics Championships.

On 15th September, 2026, World Athletics announced that Nairobi had been selected to host the 2029 World Athletics Championships. This marks the first time that the world's premier global athletics event will be held on African soil. It is a tremendous

honour for Kenya and indeed a recognition of the country's longstanding contribution to the development and success of athletics globally.

I would have expected applause from the entire House.

(Applause)

Mr. Speaker, Sir, for decades, Kenyan athletes have carried our national flag to the highest levels of international competition, winning championships and setting records on the global stage. The selection of Nairobi City County is, therefore, a fitting recognition of the country's enduring athletics heritage and the contribution of Kenyan athletes to the sport.

Kenya's selection builds on its established experience in hosting international athletics competitions. Nairobi successfully hosted World Athletics Under-18 (U18) Championships in 2017 and World Athletics Under-20 (U20) Championships in 2021, while the annual Kipkeino Classic has continued to attract some of the world's leading athletes. These events have strengthened Kenya's experience in event organisation and provide an important foundation for hosting a championship of this magnitude.

The hosting of the 2029 World Athletics Championships presents the country with an opportunity to derive benefits that extend beyond the competition itself. The arrival of athletes, officials and spectators will boost tourism, hospitality, transport, trade and other sectors of the economy. Kenyan businesses, particularly young entrepreneurs and Small and Medium Enterprises (SMEs), should generally be positioned to benefit from the increased international traffic and economic activity associated with the event.

The event should equally catalyse the development of sports infrastructure which, of course, the President is undertaking at the moment at Talanta Sports Stadium and across the country. Kenya possesses exceptional athletics talent at the grassroots and preparations for this event should be used to generally improve sports facilities, coaching, sports science, medical support and talent identification. Counties with strong athletics traditions, like Nandi, should be particularly supported to develop facilities and programmes that provide young athletes with a pathway to national and international competitions.

Additionally, we ought to take this opportunity to recognise and celebrate the achievements of our athletes. These athletes remain among Kenya's most important ambassadors and their outstanding performance on the global stage has greatly contributed to the hosting of this event. The country must, therefore, honour the athletes and give special focus to their welfare.

Mr. Speaker, Sir, the honour of hosting the championships also comes with responsibility; the responsibility to ensure that Kenya delivers an event befitting its stature in world athletics. Preparations must be undertaken in a timely, well-coordinated and transparent manner and any public resources allocated for that purpose ought to be utilised prudently and transparently.

The Moi International Sports Centre Kasarani and other facilities like Talanta Sports Stadium to be used for the championships must be prepared to the standards prescribed by World Athletics and within the agreed timelines. The investment made in

preparation for the event should also result in infrastructure and facilities that will continue to serve Kenyan athletes and the public long after the championships have ended. Ultimately, Kenya must demonstrate to the world that African countries can successfully play host to major international sporting events.

Mr. Speaker, Sir, in conclusion, I congratulate the Government of His Excellency Dr. William Ruto, Athletics Kenya (AK), our athletes and all stakeholders who contributed to securing this opportunity. Let us prepare with the same excellence and determination that our athletes have demonstrated on the world stage so that the Nairobi 2029 World Athletics Championships become not only a successful but a lasting legacy for Kenya and African athletics.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): We will move to Statements pursuant to Standing Order No.53(1). The first one is by Hon. Sen. Consolata Wakwabubi.

PREVALENCE OF SEXUAL AND GENDER-BASED VIOLENCE
AGAINST WOMEN AND CHILDREN IN BUNGOMA COUNTY

Sen. Wakwabubi Consolata: Thank you, Mr. Speaker, Sir, for the opportunity to present my Statement.

I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare on a matter of countywide concern regarding the alarming prevalence of Sexual and Gender-Based Violence (SGBV) and physical abuse against women and children in Bungoma County.

Mr. Speaker, Sir, the 2022 Kenya Demographic and Health Survey (KDHS) revealed that 62 per cent of women in Bungoma County have experienced physical or sexual violence. These disturbing statistics underscore the urgent need to dismantle barriers to justice such as cultural stigma, family pressure, limited legal aid and delayed reporting. A coordinated response by the Judiciary, National Police Service (NPS), gender desks, healthcare providers and the State Department for Children Services is essential to protect survivors and break the cycle of violence.

In the Statement, the committee should address the following—

(1) A comprehensive status update on SGBV cases in Bungoma County over the past three years, detailing the number of arrests, prosecutions and convictions and the average duration taken to conclude these matters;

(2) availability, capacity and funding of safe houses, rescue centres and psychosocial support units managed by both the national and county governments;

(3) measures to enhance coordination among the Judiciary, NPS, gender desks, State Department for Children Services and health facilities in the county to guarantee timely reporting, medical examinations and secure preservation of forensic evidence; and

(4) policy interventions and resource allocation currently being implemented to address high incidences of teenage pregnancies in Bungoma County, including strategies to secure justice, provide protection and facilitate educational re-entry of affected girls.

Mr. Speaker, Sir, with your permission, allow me to take a minute to appreciate the House for standing with me and my family when we lost our dear mother.

Thank you very much, hon. Senators, for your solidarity and show of concern. May God bless you.

The Speaker (Hon. Kingi): Sen. Hamida Kibwana, proceed.

UNLAWFUL OPERATIONS OF QUANT
VEST STOCK EXCHANGE IN KENYA

Sen. Kibwana: Thank you, Mr. Speaker, Sir. My first Statement is on the unlawful operations of Quant Vest Stock Exchange (QVSE) in Kenya. I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Finance and Budget on a matter of national concern regarding the unlawful operations of QVSE in Kenya.

On 12th September, 2026, the Capital Markets Authority (CMA) cautioned the public against QVSE and 14 other entities accused of operating unlawfully and fraudulently soliciting funds from the public. Numerous Kenyans deposited money with QVSE on the promise of regular returns from online trading, only to have their accounts arbitrarily frozen and then being coerced into making further deposits in order to access their accounts.

These practices bear the hallmarks of a Ponzi scheme and have caused widespread financial losses. It is imperative to establish the scale of the fraud, the accountability of regulatory agencies and the measures being taken to protect investors.

In the Statement, the Committee should address the following;

(1) The estimated number of Kenyans affected by the cumulative value of funds solicited by QVSE;

(2) The steps taken by the CMA, Directorate of Criminal Investigations (DCI) and other relevant agencies to investigate, prosecute promoters of QVSE and recover funds for victims;

(3) The reasons CMA, DCI and other relevant regulatory agencies failed to detect QVSE's unlawful operations before the losses occurred; and,

(4) The measures being implemented to strengthen CMA's surveillance and communication mechanisms to ensure timely detection of fraudulent investment schemes and improve the dissemination of clear public guidance and licenced market players.

POOR PERFORMANCE OF KENYAN LEARNERS IN
INTERNATIONAL LEARNING ASSESSMENTS

Mr. Speaker, Sir, I will go ahead and read the second one on poor performance by Kenyan learners in global tests.

I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Education on a matter of national concern regarding the poor performance of Kenyan learners in global and international learning assessments.

Kenya's participation in the 2025 Programme of International Student Assessment (PISA), revealed significant gaps in foundational literacy, numeracy, scientific reasoning, problem-solving and digital skills. More than 80 per cent of over 760,000 learners from 91 countries assessed failed to attain the minimum proficiency benchmark, while 42 per cent were in the lowest international socio-economic quarter.

These findings highlight deep inequalities across countries, rural and urban areas and socio-economic groups, underscoring the urgent need for evidence-based interventions to strengthen learning outcomes and ensure equitable access to quality education.

In the Statement, the Committee should address the following;

(1) An analysis of the performance of Kenyan learners in global assessments, identifying subjects and competencies where the widest gaps were recorded;

(2) The key factors contributing to poor learning outcomes;

(3) the measures of the Ministry of Education, Teachers Service Commission (TSC), Kenyan National Examination Council (KNEC) and other relevant agencies to identify and address learning gaps, particularly in foundational skills and underserved counties;

(4) The adequacy and equitable distribution of funding and resources for Early Childhood Development and Education (ECDE), basic education and vocational training across counties; and,

(5) The implementation of a time-bound recovery plan with measurable targets to improve learning outcomes and Kenyans' performance in future international assessments.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): The senator for Kisumu County, the Hon. Prof. Tom Ojienda, proceed.

That Statement is dropped.

PROPOSED UPGRADE OF MOI STADIUM IN KISUMU COUNTY

(Statement dropped)

The Senator for Turkana County, Hon. Lomenen, proceed.

WATER ACCESS IN TURKANA COUNTY

Sen. Lomenen: Thank you, Mr. Speaker, Sir, for this opportunity.

I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Devolution and Inter-governmental Relations on a matter of country-wide concern regarding the widespread non-functionality of wells and acute shortage of clean water for households and livestock in Turkana County.

Despite significant public investment in boreholes and related water infrastructure, many facilities remain broken or abandoned, forcing families to walk long distances in search of water. The situation worsens during dry seasons, affecting women,

children, schools, health facilities and livestock. Examples include the Kapesse Borehole in Lokichar Ward; the Lopuke Borehole, Solarisation Project in Lobei, Kotaruk Road and Adakar Kaapalokaal Water Project in Lokori, Kochodin Ward among others flagged in the Turkana County monitoring and evaluation system.

This raises urgent questions about accountability, resource use and the sustainability of water access. In this Statement, the Committee should address the following:

(1) The total number of boreholes in Turkana County disaggregated by sub-county and ward, indicating how many are functional and non-functional, including the specific status of Kapesse, Lopuke, and Adakar Kaapalokaal Water Project, among other non-functional projects reported in the county monitoring and evaluation system;

(2) the amount of public funds allocated, committed and spent on boreholes, drilling, equipping, solarisation and maintenance from financial year 2021/2022 to date, with details for each stalled or non-functional projects;

(3) the main reason for breakdowns or neglect of boreholes and pumps and the measures taken by the County Government to repair them, including availability of spare parts and technical team in each sub-county; and,

(4) the timelines for repairing non-functional boreholes and pumps for drilling new ones in the most affected areas and any other action taken against officers or contractors responsible for poor workmanship or abandonment of water projects.

Thank you, Mr. Speaker, Sir.

MINING ACTIVITIES IN TURKANA COUNTY AND OTHER INSECURE AREAS

My second Statement is about mining activities in Turkana County and other areas affected by insecurity.

Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources concerning mining activities in Turkana County and other areas where mining operations are being undertaken amid insecurity.

(Several Senators held loud consultations)

Mr. Speaker, Sir, may I be heard in silence?

The Speaker (Hon. Kingi): Order, hon. Senators. May the distinguished Senator for Turkana County be heard in silence?

Sen. Lomenen: Thank you, Mr. Speaker, Sir.

While mining holds potential for employment, local economic growth and improved livelihoods, insecurity in mining zones raises serious concerns about the safety and security of communities and miners, as well as investors' confidence in protection, management and equitable benefit-sharing from their natural resources. It is imperative that we establish the status of mining operations; the extent of insecurity and measures

being taken to safeguard communities and ensure sustainable exploitation of mineral wealth.

In the Statement, the committee should address the following—

(1) Status of mining activities in the affected areas, including licensing, regulation and compliance with the applicable laws and environmental requirements;

(2) measures in place to protect local communities and miners from exploitation, displacement, environmental degradation and insecurity linked to mining operations;

(3) the extent to which host communities benefit from mining activities, including their lawful share of revenues and other benefits derived from natural resources extracted from their locality;

(4) the nature and scale of insecurity affecting mining operations, including interference by armed groups, criminal networks or other threats to safety and lawful exploitation of mineral resources; and

(5) strategies being implemented by relevant authorities to address insecurity and ensure mining contributes to peace, employment, local economic development and improved livelihoods.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Next is the Statement pursuant to Standing Order No.57(1) by the Senate Majority Leader.

BUSINESS FOR THE WEEK COMMENCING
TUESDAY, 22ND SEPTEMBER, 2026

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, this is a Statement pursuant to Standing Order No.57(1) to present business for the week commencing Tuesday, 22nd September, 2026.

Hon. Senators, as you are aware, in line with the resolution that this House made on 5th May, 2026, this Senate will hold its sittings in Kilifi County. The objectives of the sittings outside Nairobi are to promote the role and work of the Senate and enhance public awareness regarding how we transact our business. We will be taking Parliament to its rightful owners, that is, the people of Kenya, to highlight any existing new opportunities for engaging with legislative processes, particularly with our counterpart legislative arms in the devolution family. That is, county assemblies. The sittings are also meant to provide an opportunity for Members of County Assemblies (MCAs) and their staff to learn and share best practices with Senators and parliamentary officers, as it has happened in all the county assemblies that we have visited over the years.

Mr. Speaker, Sir, the sittings in Kilifi County will mark the 5th sitting of the Senate outside Nairobi, following sittings that we held in Uasin Gishu in 2018, Kitui in 2019, Turkana in 2023 and Busia in 2025. I urge hon. Senators to attend and actively participate in the activities that have been lined up in Kilifi County, including plenary and committee meetings, so that together we may realise the objectives of this important event.

With respect to the status of business before the Senate, the status of pending legislative business is as follows: We have 59 Bills that are pending conclusion, out of

which, 39 are at Second Reading, 19 are at Committee of the Whole stage and one is awaiting First Reading.

A total of 22 Motions are pending conclusion. We also have 25 Petitions that are pending conclusion by the respective Committees, 20 of which are due for reporting. I urge Chairpersons of the committees whose responsibility is to address those Petitions and bring responses to the House to expeditiously do so. I believe there is a reason why petitioners chose this House and not the many other legally available routes. Therefore, we should not disappoint them. There are 579 Statements pursuant to Standing Order No.53(1) that are under consideration by various respective committees.

At the next sitting of the Senate, that is, Tuesday, 22nd September, 2026, the tentative business for the day will include business that has not been concluded in today's Order Paper as well as business included in the Notice Paper. The business for the morning sitting on Wednesday, 23rd September, will include Questions to Cabinet Secretaries as approved by the Senate Business Committee (SBC) as well as Motions.

We will have Questions to the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs; Cabinet Secretary for Information, Communications and the Digital Economy; Cabinet Secretary for Youth Affairs, Creative Economy and Sports as well as Cabinet Secretary for Education. Business for the afternoon will include business not concluded from today's Order Paper and the following Bills at Second Reading-

- (i) The County Wards (Equitable Development) Bill (Senate Bills No.20 of 2024);
- (ii) The County Governments (Amendment) Bill (Senate Bills No.5 of 2026); and
- (iii) The Quality Healthcare and Patient Safety Bill (National Assembly Bills No.41 of 2025).

The projected business for Thursday, 24th September, 2026, will include business not concluded from the Order Paper for Wednesday, 23rd September, 2026, and the following Motions-

- (i) Hoja kuhusu ajali ya feri ya Likoni;
- (ii) Delinking junior secondary schools from primary schools; and
- (iii) Improving access to clean water and sanitation services in the informal settlements in Nairobi City County and other counties.

The business will also include any other business that the SBC will schedule.

Mr. Speaker, Sir, I thank you and do hereby lay this Statement on the Table of the Senate.

(Sen. Cheruiyot laid the document on the Table)

The Speaker (Hon. Kingi): Hon. Senators, I will allow comments on the Statements that have been sought, pursuant to Standing Order No.53(1), for not more than 15 minutes. If you get an opportunity to speak, kindly do so for not more than three minutes.

Proceed, Sen. Omogeni.

Sen. Omogeni: Thank you, Mr. Speaker, Sir. I would like to comment briefly on the Statement by the nominated Senator, Consolata Wakwabubi, on the issue of SGBV. Having listened to this Statement, what caught my eye is her concern that some of these

cases receive a lot of family pressure to interfere with court decisions that can act as a deterrent. The hon. Senator is calling on the Judiciary to have a coordinated approach.

I was called by some young ladies from Nyamira who witnessed what I will call a debacle in court. I am a senior lawyer in this country. I saw parents of a victim appearing before a court of law and trying to put pressure on a judge who was about to pass a sentence on an accused person. They were trying to plead with the court not to pass a judgment that can send a deterrent message. Some of these cases are not something that you just dismiss.

In law, we used to be told that when you commit murder, you begin by having *mens rea*. In Latin, *mens rea* means you have a mind to commit something that is heinous or criminal. We used to be told that there are cases where you can come to court and mitigate, like causing death by dangerous driving.

However, in this case, somebody planned and executed the murder of a young girl and there is a post-mortem report before the court showing that the knife that killed that girl pierced the fetus. They are then telling this country that one can fight gender-based violence by bringing the parents to court and telling them to make a passionate appeal to the judge to set free somebody who has been found guilty. That portrays this country in a very bad light. It is something that we, as the people's representative, should ask the judiciary to rethink how we dispense justice.

I support the Statement by Sen. Consolata Wakwabubi. The head of the Judiciary is a renowned champion of women's rights. She is the one heading the Judiciary. The Chief Registrar of the Judiciary is a renowned jurist and is also a lady. I appeal to them not to shame the entire institution called the Judiciary. There are things that can have a very serious impact.

The moment you pass that judgment in a way that tells other people who want to commit similar crimes that you can come to court and put pressure on the Judiciary and you get away with it, I tell you, hon. Senators, your daughters and my own daughters will not be safe.

I want the Judiciary to tread very carefully on this matter. They should not expose our young girls to danger and make it worse by showing them that justice will not be dispensed. I know the dead tell no tales, but some of us who are alive should step forward and speak for them.

Thank you, Mr. Speaker, Sir.

Sen. Joe Nyutu: Thank you, Mr. Speaker, Sir, for this opportunity. I want to make a comment on the Statement raised by Sen. Kibwana on investment of QVSE. This country has a population that likes investing but there are few Kenyans who have the advantage of having received investment advice. We have seen many schemes that have defrauded Kenyans of their hard-earned cash.

This QVSE is not actually a unique one. We had another one called the Development Enterprise Courier International (DECI) some years back, where many Kenyans lost their savings after being lured into investing in a scheme that made them believe that they would earn a lot of revenue in return. Every time these schemes come into play, they do extensive marketing and advertising of their activities. Therefore, the

Capital Markets Authority cannot claim ignorance of the existence of these schemes because they go out there and advertise their services to innocent Kenyans.

The Directorate of Criminal Investigations (DCI) also collects this information. What is most heartbreaking is that nothing is done until Kenyans have been defrauded. The DCI and the CMA must act in good time to protect Kenyans against people who, of course, are set on defrauding Kenyans. It is important to note that many Kenyans are gullible, of course, because of ignorance.

I also want to comment on the same Senator's Statement on poor learning outcomes, especially when it comes to international assessments. We have a problem with education in this country because we continue to have a very low teacher-learner ratio. We must see to it that our classes return to what they are supposed to be. We should maintain a maximum class of 40-45 learners. We should ensure that we have an adequate number of teachers to deal with learners. One cannot have a teacher handling 90 or 100 learners in a class and expect that teacher to impart knowledge the way he or she is supposed to.

(Sen. Joe Nyutu's microphone went off)

Can I get a minute?

The Speaker (Hon. Kingi): One minute.

Sen. Joe Nyutu: Thank you very much. I can see Sen. Cherarkey fidgeting in his seat. This is not just about the current administration. This is also about the administrations that will come after 2027 because we will definitely have a new administration. However, whichever administration it will be, the teacher-learner ratio must be improved. We must get an adequate number of teachers and not just on contract or as interns.

I can promise Sen. Cherarkey that when Rigathi Gachagua takes over as President of this country next year, deputised by Hon. Sifuna, we will have an education system that will serve Kenyans. We will also have an adequate number of teachers employed on permanent and pensionable basis and not as interns. Sen. Cherarkey, we will invite you to see how the job is done.

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. The issue of assessment of students, as raised by Sen. Hamida, should disturb Members of Parliament. The programme for international student assessment that was recently done showed that our children in Kenya performed poorly because of lack of teachers, learning materials and education infrastructure. These are things that can be fixed by a government that has an agenda on matters of education. Unfortunately, there is no evidence that education is working in Kenya. It is not working at the university level, nor is it working at the secondary school or primary school levels.

Mr. Speaker, Sir, allow me to speak to the issue of university education which is pathetic. We have 68 universities in Kenya and only 550 professors to teach 560,000 students. How do you expect learning to go on with such a serious professor-to-student ratio that is wanting? What is more is that the process of admitting children to university for various degrees seems to have lost integrity. Today, we have politicians in this

country who have degrees, serving as governors and Members of Parliament with River Road degrees. How does a character who does not have a basic degree end up getting a PhD? It simply means the process has collapsed.

What is more is that we cannot even keep the few lecturers and professors who are there because of brain drain. How can you pay a professor of medicine a salary of Kshs150,000 and you expect to keep him in Kenya and stop him from going to practice in South Africa?

These are the issues that the government of Sen. Sifuna will be forced to address after the General Election of 2027. It is serious. The popularity of Sen. Sifuna is not because of being special. It is because the country is yearning for a government that can address these things. When we look at Sen. Sifuna, we see a young man who might just rise to the occasion.

The Speaker (Hon. Kingi): Sen. Veronica, please proceed.

An hon. Senator: *(Inaudible)*

The Speaker (Hon. Kingi): One minute for what? That Statement has no relevance to the debate we are in.

Sen. Veronica Maina: Simply just using Senate as a campaigning platform, which is not within the Standing Orders of Senate.

Mr. Speaker, Sir, thank you for the opportunity to speak into one of the Statements that has been raised before the floor of this House, by Sen. Wakwabubi on the prevalence of sexual and gender-based violence (SGBV) in Bungoma County. It is unfortunate, that Bungoma County accounts for close to over half of all the SGBV cases that are reported by Kenya Demographic and Health Survey data, accounting for so many women having experienced gender-based violence between the age of 15 going upwards.

I do not know what is special; whether there is a culture that is compelling that community to expose women to gender-based violence. Ideally, it does not augur well with the image of that county and the image of the people who come from that County, because this gender-based violence, unfortunately, is first experienced within the domestic settings. It is some cultural beliefs that tend to cause aggression towards women for very flimsy reasons, and normally rides with the triple threat. It is intertwined with teenage pregnancy, Human immunodeficiency virus (HIV) infections, sometimes driven by economic hardship, but I do not agree that there is any reasonable or justifiable cause that should cause one gender to be violent towards the other.

Mr. Speaker, Sir, other counties that have not done well at all, and are trailing very closely to Bungoma County, unfortunately, are Murang'a County, Homa Bay County, and Migori County. This is data available with the National Syndemic Diseases Control Council (NSDCC), which has been dealing with triple threat. It is unfortunate that when cases of this magnitude are taken to the Judiciary, should ever be compromised, or parties should ever discuss how they can concede. There is no concession for criminal activity and gender-based violence cases. Even the case I saw in Homa Bay County, refraining myself from using any names, I was shocked to see leniency being sought by the mother of victim of the girl who passed on, and who was killed in a very violent style when she was expectant. I wish they allowed her to give birth, and then we deal with that baby in the children's court, not when they are buried.

Some of these gender-based violence cases embarrass a whole nation, because we do not understand why...

(Sen. Veronica Maina's microphone was switched off)

The Speaker (Hon. Kingi): You have one minute, Hon. Senator, to conclude.

Sen. Veronica Maina: It is shocking to see how adult men are impregnating teenage girls and school children. In Bungoma County, the prevalence of teen pregnancy is at all high. It is actually the highest in the country. That community in Bungoma County needs to sit and interrogate what is leading teenage girls to be young mothers when they are supposed to be students coming to Senate and seated in the Public Gallery to learn what should be happening.

Mr. Speaker, Sir, it is shocking also that Kilifi County, which we are going to, is one of the other counties affected by early teen pregnancy. Indeed, it is time up for disco *matanga* in Kilifi County. So many girls have been impregnated. This is your county. Some of these girls are 10 years and 11 years, until the doctors do not know what to do with a young mother who is---

(Sen. Veronica Maina's microphone was switched off)

The Speaker (Hon. Kingi): Sen. Osotsi, please proceed.

Sen. Osotsi: Thank you, Mr. Speaker, Sir. Allow me to comment on the Statement by Sen. Hamida Kibwana on the issue of poor performance of Kenya on matters to do with learners in global and international learning assessment.

It is sad that out of the 91 countries that were assessed, Kenya is performing very badly. In fact, they are at position 87 out of 91 in science. Likewise, in mathematics, they have also performed very badly, at position 86. Even in reading, they are also at position 86. That tells you that our education system has a problem, and something has to be done to it, otherwise we are going to be producing people who cannot even read, or do simple mathematical calculations. That means that even the qualities of professionals that we are going to produce, for instance, engineers and doctors, are also going to be low quality. Therefore, we cannot compete even at the global job market. So, those who are tasked with the role of managing our education system must use this assessment to wake up and do good work for this country.

Mr. Speaker, Sir, I have heard some Members talk about congestion in schools. The congestion is not just in classrooms. If you go to these big schools, particularly national and county level schools, we have a disaster in those schools. The dormitories are hugely congested. Sometimes you even wonder why some schools have been rated as national schools when there is a serious problem of congestion. I have been a parent in one of the top national schools, and I visited the dormitory one time. I was shocked at the kind of conditions that our children live in, in these big schools.

All these factors, for instance, congestion, also affects the quality of learning in these schools. So, there are many factors which need to be looked into to ensure that we provide quality education that meets international standards. Otherwise, if we do not give emphasis to education, many things will go wrong.

(Sen. Osotsi's microphone was switched off)

The Speaker (Hon. Kingi): The Senate Majority Leader, please proceed.

The Senate Majority Leader (Sen. Cheruiyot): Thank you. Mr. Speaker, Sir.

I would like to make two brief comments on Statements by Sen. Hamida.

For the record, I wish we could get a copy of the report that Sen. Hamida is referring to. That would inform us, as policymakers and legislators, on what was being checked in this course so as to know how to improve our education system. Some of us do not believe in the politicisation of every single topic and agenda that is brought on the Floor of this House. There are people who believe that it is an opportunity to score cheap shots at every item, as if, in three or four short years, it is possible to reverse absolutely everything that has been done within a century or a decade.

However, it is a welcome conversation that we need to---

(Sen. (Dr.) Khalwale spoke off record)

The Speaker (Hon. Kingi): The Senate Majority Leader, would you wish to be informed?

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I do not mind being informed.

The Speaker (Hon. Kingi): Sen. Boni, what is your wisdom?

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, I want to thank the Senate Majority Leader for that humility. This is a serious matter. We are not pontificating. The children were tested in the following areas- Reading, Science and Mathematics and they failed. So, when you say we are just making political points, you are speaking as if all Kenyans are rich to be able to take their children to academies. We are speaking on behalf of the children in Kericho County who go to public schools and those children are not learning for a fact.

The Speaker (Hon. Kingi): The Senate Majority Leader, you may want to choose what to do with that information.

The Senate Majority Leader (Sen. Cheruiyot): I thank you for that misinformation, Sen. Boni Khalwale, because it is not relevant to what I was addressing. I want us to understand that report better so as to appreciate where is it that we need to improve on our education system. It is not just a simple matter of who is in charge. Education affects all of us and is about all our children.

I do not believe for the record that this is something that you can address within a minute or two, a year or even more. We need to interrogate this matter more deeply than just the comments that you have made and that was my point precisely. I was not defending anything because I believe in the continuous improvement of all our public sector, be it education, health, everything.

Lastly, I want to comment on this QVSE in Kenya. Senator Hamida, this is a very important Statement. For the record there were days when Central Bank governors would address the country on topical issues. I wish to encourage my friend, Governor

Thugge, to be a bit more proactive on certain issues that are topical and of concern to the citizens that we respond to.

For the record, almost on every other weekend I interact with *boda boda* operators, be it from my county or from the kind of functions where Senator Osotsi was complaining about. Part of what they tell me each and every other weekend is about these predatory lending companies. They name a company called Watu Credit, MOGO Kenya and I do not know which other one. They are simply concerned with the basic fact that CBK has not been able to bring, under their regulatory control, these institutions despite the fact that as Parliament in 2023, we passed a law that allows them to cover the ambit of any institution that lends resources to the members of the public.

[The Speaker (Hon. Kingi) Left the Chair]

[The Temporary Speaker (Sen. Veronica Maina) in the Chair]

It is my hope that CBK Governor Kamau Thugge will find it in his place, to come out and address this matter, as well as other emerging issues which Kenyans are increasingly getting concerned about, that CBK as an institution should be speaking boldly about and protecting Kenyans out of public interest.

Sen. Cherarkey: Thank you, Madam Temporary Speaker, I know you spoke passionately about gender-based violence. I appreciate your comments as the chairperson of Kenya Women Senators' Association.

In August, 2026, Jane Chelimo Chebo, a 67 years old woman, was defiled and killed in Chepterit, Chesumei sub-county, Nandi County. As a county we must handle gender-based violence.

Article 159-2C, of the Constitution also gives alternative dispute resolution (ADR) as reconciliation and mediation. I was speaking to the Senator of Marsabit and he was saying some of these issues are normally being resolved at the lowest level.

Madam Temporary Speaker you are one of the senior lawyers. I heard the Seniour Counsel, the Senator of Nyamira, asking asking the Chief Justice to intervene. Yet, the Senator of Nyamira knows under Article 159 (2C), reconciliation and mediation and ADR is allowed by court.

As an example, in the case- Republic *versus* Mohammed Adow Mohammed criminal case 86 of 2011, a criminal matter was withdrawn after reconciliation by the family. There is the case of Republic *versus* Kula and others, criminal case number 17 of 2018, and Republic *versus* Juliani, Mwikali, Kitema, and three others, that where reconciliation had been achieved as part of Article 159 (2C) the murder charges were being withdrawn.

We should just appeal. Even in the matter you mentioned, Madam Temporary Speaker, although you did not mention names, the sentencing the discretion of the presiding judge on the sentencing of that matter that you alluded to.

Kenyans must know that even in murder or capital offences, especially murder cases, courts have pronounced themselves as per Article 159 (2C) ---

A few minutes ago, I was seeing the Senator of Nairobi City County--- and I am told there is gender-based violence in Bungoma. He should assist us by fighting gender-based violence in Bungoma before running for president.

As our Secretary General (SG), you have noticed that the united-disunited opposition are yet to agree on a single presidential candidate. This will allow President William Ruto to just go into second term without any interruption.

The Temporary Speaker (Sen. Veronica Maina): What is your point of order Sen. Khalwale?

Sen. (Dr.) Khalwale: Is the Senator of Nandi in order to mislead the country that the responsibility of fighting crime in this country does not lie with the Cabinet Secretary of Interior and National Administration (Hon. Murkomen), but with His Excellency Sen. Edwin Sifuna? Does he mean to say that when a crime takes place in Kakamega, the blame is on Sen. Khalwale, the Senator of Kakamega? He should be factual and be serious.

The Temporary Speaker (Sen. Veronica Maina): Senator Cherarkey, can you clarify what you were submitting?

Sen. Cherarkey: Madam Temporary Speaker, let me give him the following comeback. One, a few weeks ago - and it is on record - when the issue of sand harvesting came, it is Sen. Khalwale who issued seven days ultimatum for the people who are dredging sand. Does he want to run away today?

In terms of relevance in debate, there is no Excellency who sits in this House. Excellencies sit in State House. He should just refer to the Senator of Nairobi City County as Senator because he will remain a Senator. I do not know if he will be the official opposition leader of 2027. I do not need to prove anything. What I am just saying is that our friends in the opposition do not have an agenda. They do not have anything that they can tell this Country,

The Temporary Speaker (Sen. Veronica Maina): Take one minute and confine yourself to the subject.

Sen. Cherarkey: Yes, I want to comment on the mining and to advise Sen. Khalwale to donate his UPM party to his party-less presidential candidate.

Mining is becoming a problem. I know that Kakamega, Nandi, Magadi and across the country, we have a problem with mining.

With your direction, would it be in order to have a Committee of the Whole House where the Cabinet Secretary for mining, can come and tell us the status of mining operations in the country so that this matter can be sealed once and for all? We do not want to see deaths but value and local content for our people.

I do not know whether Murang'a has gold but you also need to benefit because this is a national resource under the recently passed law that the President assented to on prosperity.

The Temporary Speaker (Sen. Veronica Maina): And just to guide you, Senator Cherarkey, when you need a Cabinet Secretary to come before the House, you know what to do. You just present the question, which is then processed and the Cabinet Secretary can answer.

Sen. Abbas: Thank you, Madam Temporary Speaker. I want to contribute to the issue to do with education in Kenya.

It is truly sad that our students are not performing well in social forums. That is as a result of the basic foundation not having been done well. Most of our students are attending classes, especially in the rural areas, taught by Early Childhood Development Education (ECDE) teachers who are half-baked and poorly paid. The classes are also overcrowded. As a result of the current 100 per cent transition our infrastructure is very poor. The teacher-student ratio is almost 160 pupils per teacher.

There is also a weakness in leadership of the teacher fraternity due to interference from the politicians and other leaders. Some teachers remain in class for many years after employment while some newly-employed move to leadership positions. They qualify and they move to become leaders. There is a lot of inequitable work that has been done. Some teachers do not get promoted. They remain in the same positions. They get so demotivated.

Madam Temporary Speaker, the other thing is actually frequent changes of curriculum; from 8-4-4 to the current one. One time they said it was CBC but now it is CBE. Teachers do not even know what to teach because they are not well trained. They have not been given time and they are poorly paid. The teachers are paid poorly compared to other civil servants.

A teacher goes early in the morning up to the evening and remains in class while maybe other civil servants are doing their own business.. They go the office and get time to do other businesses. They get promoted easily but the teacher remains. Therefore, teachers are not motivated.

The other thing is that teachers work in hardship areas and difficult places. At every corner in this country, you will find a teacher in a school. The school might be in very bad shape with poor infrastructure. The teacher has no hardship allowance and even there is water in those places. They do not even have houses to sleep. They leave their children and families elsewhere and they go to teach in other corners of Kenya. However, their welfare is not taken care of.

The Temporary Speaker (Sen. Veronica Maina): Give him one minute to finish that sentence.

Sen. Abass: One other thing is that most of the students in universities are cheating in exams. Therefore, some students do not make the effort to go and learn. That is why when we go to international forums, we do not perform.

Thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Abass. Sen. Wakili Hillary.

Sen. Wakili Sigei: Thank you, Madam Temporary Speaker, for giving me the opportunity. I will comment on two statements. The first one by Sen. Cherarkey and the other one by Sen. Wakwabubu.

When Kenya lost the bid to host the World Athletic Championships in 2025 to Tokyo, Japan, the basis for that loss was unpreparedness on the part of Kenya to host the same and at the same time, there was infrastructural development going on. Therefore, it

was said that the country was not fit to the standards expected to host the World Championships.

It is immediately upon that loss that President William Ruto's Government decided to take a bold step and facilitate the fast-tracking of the development of the infrastructure for all the stadia that had been identified. This included the current one that has been used as the basis of hosting the 2029 World Athletic Championships.

The approval of Kenya to host is one of a kind. It is the first one in the African soil since the world was made - if there is such a statement. There is appreciation that the Government of the day has committed. It has made sure that the commitments, especially on sports and building professionals in the athletics world has been achieved. This is a confirmation to the fact that progress has been done by ensuring that the Kasarani Stadium, that is going to host the 2029 World Athletic Championships is ready, as well as Nyayo Stadium. We have over 32 undergoing improvement across the country.

Some are being constructed from zero, including, the Talanta Stadium. We look forward to having it host AFCON in the year 2027. It is a vote of confidence on the development and plan that the current Government is putting in place. If you listened to the words of the President of the World Athletics, he said that the request came in at the right time, in the right place, by the right country and with the right circumstances. We appreciate and applaud the Government for that.

Secondly, Madam Temporary Speaker, on the GBV issue, the Statement by Sen. Wakwabubu, I know, as a Member of the Justice and Legal Affairs Committee (JLAC), you are aware of the commitments that---

The Temporary Speaker (Sen. Veronica Maina): What is your point of order, Sen. Cherarkey?

Sen. Cherarkey: Madam Temporary Speaker, Standing Orders No.105, and with reference to Senators, have you heard the distinguished Senator of Bomet say Wakwabubu? Who is Sen. Wakwabubu? I have been struggling, as much as I like his contribution.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Cherarkey. Sen. Sigei, you stand corrected. It is Sen. Consolata Wakwabubi.

Sen. Wakili Sigei: Madam Temporary Speaker, that is exactly what I said. It is Sen. Cherarkey who did not hear well. I said Sen. Wakwabubi.

The Temporary Speaker (Sen. Veronica Maina): Maybe, it depends with the schools each of you went to. The way you pronounce it is different for the two of you.

Sen. Wakili Sigei: Cherarkey will say he went to a polling station and he is a lawyer like me. I would not want to say the kind of school I got enrolled to and the school I went to study.

The Temporary Speaker (Sen. Veronica Maina): Give him one minute.

Sen. Wakili Sigei: Madam Temporary Speaker, I was indicating that as Members of JLAC, we are currently prosecuting a Petition on gender-based violence, especially in counties that are prevalent with that. They are Homa Bay, Bomet and Narok. With this statement that has been brought in, I do hope that the relevant Committee to deal with this statement will unravel beyond whatever we have done. This

is because, following the visits we did to Homa Bay, we are yet to deal with the situation in Narok and Bomet.

In the course of processing the Petition, there has been a lot of other gender-based violence. For instance, in Bomet, there is a woman, a prison warden, who was killed by a boyfriend. This is one Statement that we must speak to and purpose, as a House and a Committee, to commit more time and resources in order to make sure that the relevant agencies, including the ODPP deal with such cases whenever they are reported without compromise. I will call it compromise by families or negotiations on such cases so that they are resolved outside the usual judicial system.

More importantly, such agencies, including the DCI should be put to task to make sure that such cases are fast-tracked so that beyond getting the victims reprieve, they get a lifeline and they are protected. The perpetrators should also be put in and that would act as a deterrence to those who are planning to commit such actions.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Sigei.

Next order, Clerk. I will use the discretion of the Speaker to defer Orders No. 8 to No. 29. They will be called during the next session.

MOTION

CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE KENYA SIGN LANGUAGE BILL (SENATE BILLS NO. 9 OF 2023)

THAT, the National Assembly amendments to the Kenya Sign Language Bill (Senate Bills No. 9 of 2023) be now considered.

(Motion deferred)

MOTION

ADOPTION OF REPORT ON THE COOPERATION AGREEMENT BETWEEN THE NATIONAL GOVERNMENT AND THE NAIROBI CITY GOVERNMENT

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on the Cooperation Agreement between the national Government and the Nairobi City County Government laid on the Table of the Senate on Wednesday, 15th July, 2026.

(Motion deferred)

MOTIONADOPTION OF REPORT ON THE APPLICATION FOR CONFERMENT
OF CITY STATUS TO THIKA MUNICIPALITY

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on the conferment of City status to Thika Municipality, laid on the Table of the Senate on Wednesday, 15th July, 2026 and, that pursuant to section 8 (6) of the Urban Areas and Cities Act, approves the conferment of City status to Thika Municipality.

(Motion deferred)

MOTIONADOPTION OF REPORTS OF THE COMMITTEE ON DELEGATED
LEGISLATION ON TRAFFIC RULES AND NTSA REGULATIONS

THAT, the Senate adopts the Reports of the Select Committee on Delegated Legislation on its consideration of the –

- i) The Traffic (School Transport) Rules, 2026 (Legal Notice No. 11 of 2026
 - ii) The Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No. 13 of 2026); and
 - iii) The National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026 (Legal Notice No. 14 of 2026);
- laid on the Table of the Senate on Wednesday, 10th June, 2026; and that pursuant to Section 18 of the Statutory Instruments Act, the Senate resolves to annul the Traffic (School Transport) Rules, 2026 (Legal Notice No. 11 of 2026; the Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No. 13 of 2026); and the National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026 (Legal Notice No. 14 of 2026).

(Motion deferred)

BILL*Second Reading*THE STREET NAMING AND PROPERTY ADDRESSING SYSTEM BILL
(SENATE BILLS NO.43 OF 2024)

(Bill deferred)

BILL

Second Reading

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL
(SENATE BILLS NO.8 OF 2026)

(Bill deferred)

COMMITTEE OF THE WHOLE

THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILLS
NO.36 OF 2024)

(Bill deferred)

COMMITTEE OF THE WHOLE

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.3 OF 2024)

(Bill deferred)

COMMITTEE OF THE WHOLE

THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL
(SENATE BILLS NO.4 OF 2025)

(Bill deferred)

COMMITTEE OF THE WHOLE

THE ELECTRONIC EQUIPMENT DISPOSAL RECYCLING AND
REUSE BILL (SENATE BILLS NO.5 OF 2025)

(Bill deferred)

COMMITTEE OF THE WHOLE

THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO.12 OF 2024)

(Bill deferred)

COMMITTEE OF THE WHOLE

THE COMMUNITY HEALTH PROMOTERS BILL (NATIONAL ASSEMBLY
BILL No.53 OF 2022)

(Bill deferred)

COMMITTEE OF THE WHOLE

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (AMENDMENT)
BILL (NATIONAL ASSEMBLY BILLS No.66 OF 2023)

(Bill deferred)

COMMITTEE OF THE WHOLE

THE HEALTH (AMENDMENT) BILL (SENATE BILLS No. 12 OF 2025)

(Bill deferred)

BILL

Second Reading

THE LIVESTOCK PROTECTION AND SUSTAINABILITY BILL
(SENATE BILLS No.32 OF 2024)

(Bill deferred)

MOTION

NOTING OF COUNTY FISCAL PERFORMANCE
MEASUREMENT INDEX REPORT 2026

THAT, the Senate notes the County Fiscal Performance Measurement Index (CFPMI) Report 2026, laid on the Table of the Senate on Thursday, 6th August, 2026.

(Motion deferred)

MOTION

MAINSTREAMING A FRAMEWORK FOR CLEAN COOKING

THAT AWARE THAT, Article 42 of the Constitution guarantees every person the right to a clean and healthy environment, which includes access to safe energy options;

FURTHER AWARE THAT, over 900 million Africans, including more than 90% of households in Kenya's rural areas, still rely on traditional biomass (firewood, charcoal, animal waste) for cooking, resulting in high levels of indoor air pollution that cause premature deaths, particularly among women and children;

CONCERNED THAT, in Kenya, indoor air pollution has been linked to over 23,000 annual deaths, with women and girls bearing the disproportionate burden of time spent collecting firewood and cooking, limiting their education and economic opportunities;

NOTING THAT, traditional cooking methods contribute significantly to deforestation, greenhouse gas emissions, and climate vulnerability at the county level, undermining national commitments under the Energy Act, 2019, the Climate Change Act, 2016, and Kenya's Nationally Determined Contributions (NDCs);

RECALLING THAT, the Africa Clean Cooking Summit (Paris, 2023) mobilized USD 2.2 billion in commitments for clean cooking, and the International Energy Agency has recommended urgent financing and policy action to achieve universal access by 2040;

ACKNOWLEDGING, the efforts of some counties, development partners, and private sector actors in piloting clean cooking projects, but recognizing that these remain small-scale and fragmented;

NOW THEREFORE, the Senate resolves that the:

- i.) Council of Governors develops county-level policies, frameworks, and budgets that mainstream clean cooking into devolved energy and health functions;
- ii) National Treasury and Ministry of Energy prioritize clean cooking in financing frameworks, including results-based financing and blended finance models to de-risk private investment;
- iii) County Governments incorporate clean cooking targets in their County Integrated Development Plans (CIDPs) and ensure public institutions such as schools, health facilities, and prisons adopt clean cooking solutions;
- iv) National Treasury and County Governments to fast-track letters of authorization to unlock carbon finance markets (Article 6.2 and CORSIA) for clean cooking projects; and
- v) County Governments engage the private sector actors, and community organizations to expand clean cooking access, create local jobs, and reduce pressure on forest resources.

(Motion deferred)

MOTION**ADOPTION OF REPORT ON PETITION ON LIMITATION OF TENURE
FOR NOMINATED MEMBERS OF COUNTY ASSEMBLIES**

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Laban Omusundi and others concerning limitation of the tenure of nominated Members of County Assemblies (MCAs) to a single term of five years, laid on the Table of the Senate on Tuesday, 8th September, 2026.

(Motion deferred)

MOTION**ADOPTION OF REPORT ON RE-INTRODUCTION OF ELECTIONS
(AMENDMENT) (No.3) BILL SENATE BILLS No.48 OF 2021**

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Mohamed U. Alasow concerning the re-introduction of the Elections (Amendment) (No. 3) Bill (Senate Bills No. 48 of 2021), laid on the Table of the Senate on Tuesday, 8th September, 2026.

(Motion deferred)

MOTION**DECLARATION OF ROAD TRAFFIC ACCIDENTS AS A NATIONAL DISASTER**

AWARE THAT, Article 43 guarantees the right to the highest attainable standard of health, including emergency medical treatment and Article 21(1) of the Constitution obligates the State and all State organs to observe, respect, protect, promote and fulfil the rights and fundamental freedoms contained in the Bill of Rights;

NOTING THAT, Article 238 of the Constitution provides that national security includes the protection of the people of Kenya and their property against internal and external threats, which encompasses safety on national transport networks;

COGNIZANT THAT, road traffic injuries are among the leading causes of death in Kenya and constitute the leading cause of mortality among adolescents and adults in their most economically productive years, surpassing many communicable

and non-communicable diseases resulting in significant loss of human capital and productivity;

NOTING THAT, in 2025 more than 4,400 Kenyans lost their lives with over 17,000 injuries from road crashes, a 3% increase over the previous year, while nearly 400 people were killed in road traffic accidents in January 2026 alone, representing an 11% increase compared to the same period in the previous year, illustrating a continuing trend of preventable loss of life;

CONCERNED THAT, beyond loss of life, road traffic accidents result in long-term disability, psychological trauma, family disruption and significant economic loss, with estimates suggesting losses amounting to billions shillings annually to the national economy, while placing severe strain on health facilities and emergency services;

FURTHER CONCERNED THAT, despite the existence of the National Road Safety Action Plan (2024–2028) and other statutory measures, road carnage persists due to preliminary causes including over-speeding, impaired and distracted driving, non-compliance with traffic laws, inadequate driver training, unsafe road infrastructure, unroadworthy and overloaded vehicles, as well as systemic challenges arising from inadequate investment in road safety infrastructure, weak coordination among transport, enforcement, health and county authorities, and limited emergency medical response capacity; NOW

THEREFORE, THE SENATE resolves that:

- i) Road traffic accidents in Kenya be declared a National Disaster, requiring urgent, coordinated and sustained multi-sectoral intervention across prevention, emergency response, rehabilitation and long-term systemic reform;
- ii) The Ministry of Roads and Transport and the Ministry of Health in conjunction with the National Transport and Safety Authority, the National Police Service and the Council of Governors, urgently strengthen the implementation of the National Road Safety Action Plan (2024–2028), including enhanced enforcement of traffic laws, safer road design, public education, data-driven interventions and improved emergency response capacity;
- iii) The Ministry of Health in collaboration with the County Governments to set aside adequate resources to support road safety interventions, emergency medical services, trauma care systems and post-crash rehabilitation services; and
- iv) The National Treasury in collaboration with the Ministry of Roads and Transport establishes a Road Safety Disaster Response Fund to support road safety interventions, victims and families affected by the road accidents.

(Motion deferred)

MOTION

STRENGTHENING DISABILITY-INCLUSIVE EDUCATION FOR LEARNERS WITH ALL FORMS OF DISABILITY

THAT, AWARE THAT Article 53(1)(b) of the Constitution guarantees every child the right to free and compulsory basic education while Articles 27, 43, 54 and 56 of the Constitution, the Persons with Disabilities Act, The Children Act and the United Nations Convention on the Rights of Persons with Disabilities (CRPD), require the State to promote equality, dignity and access to inclusive education for persons with disabilities and other vulnerable groups through appropriate legislative, policy, administrative and budgetary measures;

RECOGNIZING THAT national laws and policies, including the Basic Education Act, the Persons with Disabilities Act, the Children Act and the Competency-Based Curriculum Framework, provide for inclusive and equitable education through reasonable accommodation and appropriate support for learners with disabilities and special educational needs, including neurodevelopmental and learning disabilities, and that the Constitution assigns Early Childhood Development Education and childcare facilities to county governments while the national government oversees education policy, curriculum, standards and teacher management, thereby requiring effective intergovernmental coordination to promote disability-inclusive education;

CONCERNED THAT despite existing legal and policy frameworks, many learners with disabilities continue to face barriers in accessing quality education due to gaps in identification, assessment, specialized personnel, assistive technologies, infrastructure and support services as highlighted by the Auditor-General's Performance Audit on education for learners with special needs (2025) which revealed deficiencies in resources and institutional capacity, leaving many learners, including those with neurodevelopmental conditions and learning disabilities, inadequately supported despite significant public investment in education;

RECOGNIZING THAT disability-inclusive education requires sustainable financing, accountability, reliable data, evidence-based planning, intergovernmental collaboration and meaningful participation of persons with disabilities in education processes;

NOW THEREFORE, THE SENATE RESOLVES THAT-

1. The Ministry of Education, in collaboration with National Treasury and County Governments, shall within six (6) months develop and submit to Parliament a costed National Disability-Inclusive Education Implementation and Financing Framework outlining learner needs, accessibility gaps, support services, implementation timelines, accountability mechanisms and sustainable financing arrangements;

2. The Ministry of Education reviews and harmonizes existing laws, policies on disability-inclusive education to align with the Constitution, the

Competency-Based Curriculum and international obligations, ensuring adequate support for learners with all forms of disabilities;

3. The Ministry of Education establishes standardized disability data collection and reporting systems and maintain a comprehensive database of learners requiring disability-inclusive educational support to inform planning, budgeting, monitoring and resource allocation; and

4. The Ministry of Education implements the recommendations of the Auditor-General's Performance Audit on education for learners with special needs (2025) and the gives an implementation status to the Senate of the provisions of Section 20 of the Persons with Disabilities Act within ninety days following approval of this Motion.

(Motion deferred)

MOTION

IMPLEMENTATION OF SECTION 39(K) OF BASIC EDUCATION ACT ON PROVISION OF SANITARY TOWELS

THAT AWARE THAT, Section 39(k) of the Basic Education Act requires the Cabinet Secretary responsible for education to provide free, sufficient and quality sanitary towels to every girl child registered and enrolled in a public basic education institution who has reached puberty, together with a safe and environmentally sound mechanism for their disposal and that Section 88(2)(g) of the Act provides for conditional capitation funds to facilitate the acquisition of sufficient and quality sanitary towels for eligible girls in public basic education institutions;

RECOGNIZING THAT, the National Government has continued to commit public resources towards the provision of sanitary towels to school-going girls, demonstrating its commitment to menstrual dignity, school attendance and equal access to education;

NOTING THAT, currently the administration of the sanitary towels programme is undertaken through the State Department responsible for Gender and Affirmative Action and the National Government Affirmative Action Fund (NGAAF);

CONCERNED THAT, the current administration of sanitary towels through the State Department of Gender and the National Government Affirmative Action Fund (NGAAF) and limited funding contravenes the provision of Sections 39(k) and 88(2) (g) of the Basic Education Act;

FURTHER CONCERNED THAT, sanitary towels procured using public funds are distributed or presented by elected leaders in public functions or other individualized distribution channels making the entitlement guaranteed to school-going girls by law be perceived as personal donations or favour from the leaders;

NOW THEREFORE, THE SENATE RESOLVES THAT, the Ministry of Education-

1. Fully complies with the provisions of Section 39(k) of the Basic Education Act, by aligning the administration, financing and delivery of the sanitary towels to verified numbers of eligible girls and sufficient provision throughout the school calendar;

2. puts in place safeguards to protect the programme from political exploitation, including prohibiting the personal branding or presentation of sanitary towels procured using public funds as donations or favours from individual public or elected officials;

3. pursuant to the provisions of Section 88(2)(g) provides adequate and predictable funding and establishes a robust accountability mechanism to track allocations, procurement, delivery and coverage at school level; and

4. Should submit an annual report to Parliament on the compliance to the provisions of Sections 39(k) and 88(2)(g) of the basic Education Act.

(Motion deferred)

ADJOURNMENT

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, please rise. There being no other business on the Order Paper, the Senate stands adjourned until Tuesday, 22nd September, 2026 at 2.30 p.m. in Kilifi County Assembly in Malindi Town. Thank you.

The Senate adjourned at 4.20 p.m.